



APZ/aw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application of:

Kenneth G. Miller et. al.

) Date: September 1, 2006

Serial No.: 10/721,640

) Attorney Docket No.: F-711

Filed: November 25, 2003

) Customer No.: 00919
) Group Art Unit: 3624

Confirmation No.: 5612

) Examiner: Lalita M. Hamilton

Title: **EARLY BILL PAYMENT PROCESS**

TRANSMITTAL OF APPEAL BRIEF (PATENT APPLICATION 37 CFR 1.192)

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is the **APPEAL BRIEF** in the above-identified patent application with respect to the Notice of Appeal filed on July 14, 2006.

Pursuant to 37 CFR 41.20(b)(2), the fee for filing the Appeal Brief is \$500.00

Please charge Deposit Account No. **16-1885** in the amount of \$500.00 to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. **16-1885**.

A duplicate copy of this transmittal is enclosed for use in charging the Deposit Account.

Respectfully submitted,

Ronald Reichman
Ronald Reichman
Reg. No. 26,796
Attorney of Record
Telephone (203) 924-3854

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484-8000

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 1, 2006
Date of Deposit

Amy Harvey
Signature

Amy Harvey
Name of Person Certifying

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:) Attorney Docket No.: F-711
Kenneth G. Miller et. al.) Group Art Unit: 3624
Serial No.: 10/721,640) Examiner: Lalita M. Hamilton
Filed: November 25, 2003) Date: September 1, 2006
Confirmation No.: 5612) Customer No.: 00919

Title: **EARLY BILL PAYMENT PROCESS**

APPELLANT'S BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This brief is in furtherance of the Notice of Appeal filed in this case on July 14, 2006.

09/07/2006 MGEBREM1 00000012 161885 10721640

01 FC:1402 500.00 DA

TABLE OF CONTENTS

This brief contains these items under the following headings and in the order set forth below:

- I. REAL PARTY IN INTEREST
- II. RELATED APPEALS AND INTERFERENCES
- III. STATUS OF CLAIMS
- IV. STATUS OF AMENDMENTS
- V. SUMMARY OF THE CLAIMED SUBJECT MATTER
- VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL
- VII. ARGUMENTS
- VIII. APPENDIX OF CLAIMS INVOLVED IN THE APPEAL
- IX. EVIDENCE APPENDIX
- X. RELATED PROCEEDING APPENDIX

I. REAL PARTY IN INTEREST

Pitney Bowes Inc. is the real party in interest by way of assignment from the

II. RELATED APPEALS AND INTERFERENCES

There are no related Appeals and Interferences.

III. STATUS OF CLAIMS

- A) Claims 1 - 29 are in the application.
- B) Claims 1 - 29 are rejected.
- C) Claims 1 - 29 are on appeal.

IV. STATUS OF AMENDMENTS

No Amendment subsequent to the April 18, 2006, Final Rejection was entered.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

Typically, it takes the United States Postal Service (USPS) three to five days to deliver mail to a recipient. If certain bills, i.e., loans, credit cards, etc., are not received by the biller by the bill's due date, the consumer may be charged a late fee and/or a finance charge. Sometimes, consumers do not have enough money in their accounts to pay their bills on time since they are waiting to receive a particular check, or they forget that the payment of a bill is due in a few days. In the above instances, the consumers may use their home personal computer to pay their bills from a consumer account over the Internet.

Many people do not own computers, and a large number of people who own computers are not connected to the Internet. Thus, the aforementioned individuals will have difficulty in paying their bills that are due in the next few days on time.

The present invention overcomes the disadvantages of the prior art by enabling consumer bill recipients to pay their bills via the USPS or other carrier sooner than was heretofore possible. The claimed invention accomplishes the foregoing by enabling a

company to send a bill to a consumer bill recipient by which the consumer bill recipient pays his/her bill via the USPS or other carrier sooner than was heretofore possible. The foregoing is accomplished by enabling a company to send a bill to a bill recipient that contains a bill-paying return portion in the form of a mail piece having a Planet code and Postnet bar code that reference the bill recipient and amount to be paid on the outside of mail piece, so that when a scanner at the USPS reads the Planet code and Postnet bar code, the bill recipient's bank account will be debited for the entire amount of the bill, or a minimum payment that is due for the bill, or a minimum payment for the bill plus a specified amount.

This invention allows a consumer to securely identify himself/herself to the USPS, other carrier, or a trusted third party on the outside of mail.

Claim 1 is one of the two independent claims in this application. Claim 1 relates to a method for enabling a bill recipient to pay their bill to a creditor. The method comprising the following steps of:

- (a) giving one or more bills in the form of one or more mail pieces to a bill recipient;
- (b) placing a code by a creditor on one or more bills that references the bill recipient, the bill recipient's account number and amount due on [the] a face of the mail piece;
- (c) mailing the bill by the bill recipient;
- (d) scanning by the post the code on the mail piece before the mail piece is delivered to the creditor;
- (e) creating an electronic funds transaction for the amount indicated in the code between the bill recipient's bank account and the creditor's bank account; and
- (f) transferring funds from the bill recipient's bank account to the creditor's bank account.

Appellant's invention is shown in paragraph 015 of page 4 to paragraph 025 of page 10 of Appellant's specification. Claim 1 is also illustrated in Figs. 1 -4.

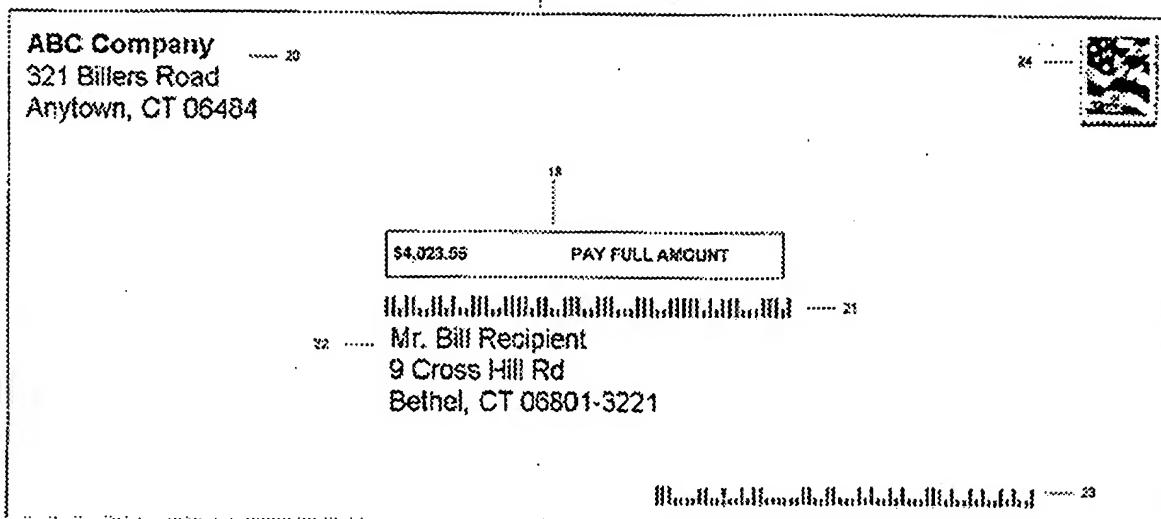


Fig 1A

Referring now to the drawings in detail, and more particularly to Fig. 1A, the reference character 11 represents one or more mail pieces that were enclosed in an envelope (not shown) that was sent by a creditor, i.e., ABC Company, and delivered to Mr. Bill Recipient of 9 Cross Hill Road, Bethel, CT 06801-3221. Mail piece 11 is a full payment mail piece that Mr. Bill Recipient uses when he wants to pay the full amount that is due on a particular bill or loan payment, i.e., monthly mortgage payment; monthly car loan payment; electric bill; water bill; gas bill; oil bill, credit card bill, house insurance statement, car insurance statement, etc. Mail piece 11 has an address field 20 that indicates the billing company, i.e., ABC Company, that prepared mail piece 11, and a bill recipient address field 22, that indicates the party receiving the bill. Planet bar code 21 appears above address field 22 and Postnet bar code 23, that uniquely identifies Mr. Bill Recipient, appears below address field 22. Bar codes 21 and 23 will be more fully described in the descriptions of Figs. 2A and 2B. An indication of postage payment 24 is placed on mail piece 11. Optionally, the billing company, i.e., ABC Company,

may indicate in space 18 the full amount that is due, i.e., \$4,023,56. Mr. Bill Recipient may cover space 18 with a label when he returns mail piece 11 to ABC Company, or mail piece 11 may be a windowed envelope that covers space 18 so the amount of payment is not shown. However, bar codes 21 and 23 and address field 22 will be shown.

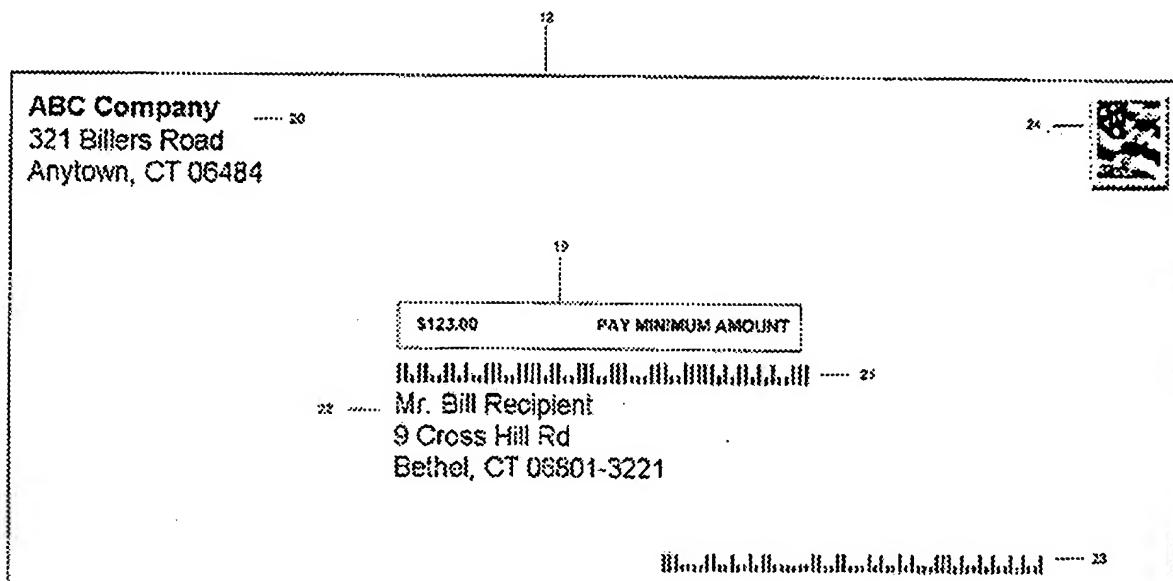


Fig 1B

Fig. 1B is a drawing of a mail piece 12 indicating minimum payment of a bill before the mail piece was posted. One or more mail pieces 12 were enclosed in the same envelope as mail piece 11 (Fig. 1) (not shown), mail piece 13 (Fig. 1C) that was sent by ABC Company and delivered to Mr. Bill Recipient of 9 Cross Hill Road, Bethel, CT 06801-3221. Mail piece 12 is a minimum payment mail piece which Mr. Bill Recipient uses when he wants to pay the minimum amount that is due on a particular bill or loan payment, i.e., monthly mortgage payment; monthly car loan payment; electric bill; water bill; gas bill; oil bill; credit card bill, house insurance statement, car insurance statement, etc. Mail piece 12 has an address field 20 that indicates the billing company, i.e., ABC Company, that prepared mail piece 12, and a

bill recipient address field 22, that indicates the party receiving the bill. Planet bar code 25 appears above address field 22, and Postnet bar code 23 appears below address field 22. Bar codes 23 and 25 will be more fully described in the description of Fig. 2. An indication of postage payment 24 is placed on mail piece 12. Optionally, the billing Company, i.e., ABC Company, may indicate in space 19 the minimum amount that is due, i.e. \$123.00.

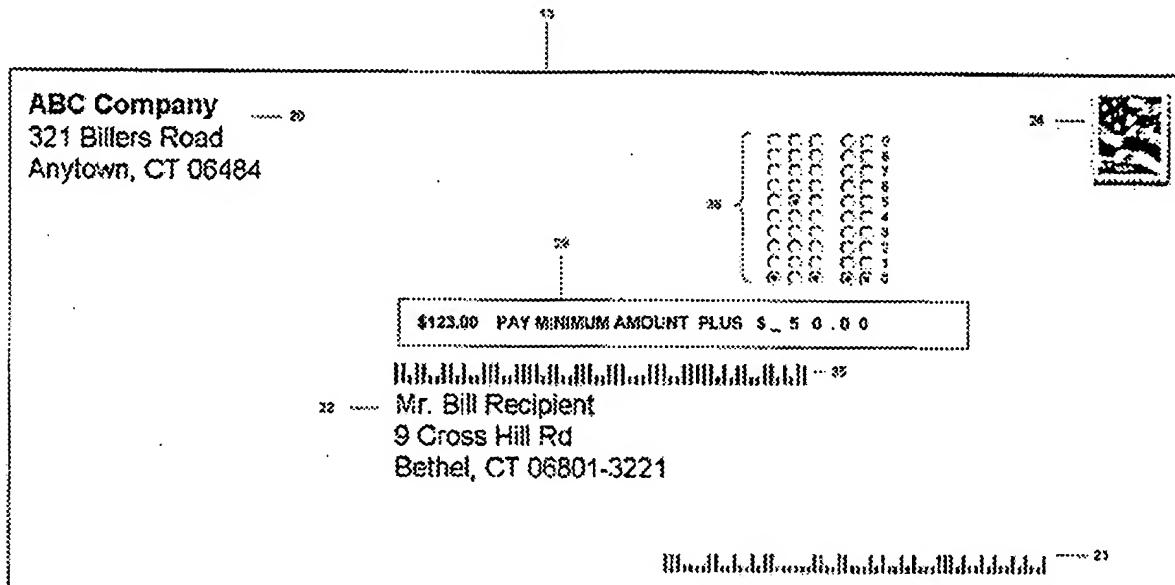
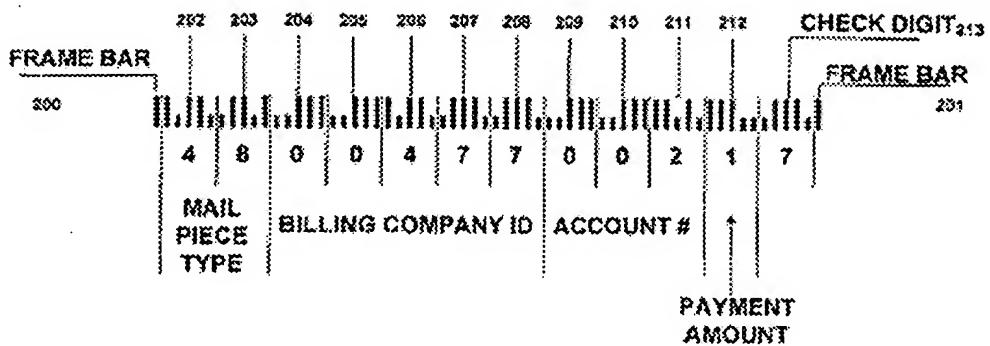


Fig 1C

Fig. 1C is a drawing of a mail piece 13 indicating a payment above the minimum payment of a bill before the mail piece is posted. One or more mail pieces 13 were enclosed in the same envelope as mail piece 11 (Fig. 1) (not shown), mail piece 12 (Fig. 1B) that was sent by ABC Company and delivered to Mr. Bill Recipient of 9 Cross Hill Road, Bethel, CT 06801-3221. Mail piece 13 is a minimum payment plus a payment above the minimum payment mail piece which Mr. Bill Recipient uses when he wants to pay the minimum amount plus a specified amount determined by Mr. Bill Recipient that is due on a particular bill or loan payment, i.e., monthly mortgage payment, monthly car loan payment, electric bill, water bill, gas bill, oil bill, credit card bill, house insurance statement, car insurance statement, etc. Mail piece 13 has an address field 20 that indicates the billing company, i.e., ABC Company, that prepared mail piece 13, and a bill recipient address field 22, that indicates the party receiving

the bill. Planet bar code 35 appears above address field 22, and Postnet bar code 23 appears below address field 22. Bar codes 23 and 35 will be more fully described in the description of Fig. 2. An indication of postage payment 24 is placed on mail piece 13. Optionally, the billing Company, i.e., ABC Company, may indicate in space 19 the minimum amount that is due, i.e. \$123.00, and Mr. Bill Recipient may indicate an amount above the minimum payment that is due, i.e., \$50.00. To indicate the \$50.00 extra amount, Mr. Bill Recipient will fill in the appropriate circles 36 with a black pen or number 2 pencil to indicate \$50.00.

Planet Code 21



Postnet Code 23



Fig 2

Fig. 2 is a drawing of bar codes 21 and 23 of Fig. 1A and Fig. 3. Frame bar 200 indicates the beginning of Planet code 21, and frame bar 201 indicates the end of Planet code 21. Planet code 21 also includes bars that represent digits 202–213. Digits 202–213 each contain five bars, which are used to represent digits 0–9. Digits 202 and 203 are used to represent the mail piece type, namely, type 48 which is a bill payment reply. Digits 204–208 represent the billing company identification number, i.e., number 00477; digits 209–211 represent information that identifies Mr. Bill Recipient's Account number at the address

referenced by the location identification (digits 222-232). Digit 212 is a "1" which identifies the payment amount, i.e., the full payment of the bill, namely \$4,023.56 (if digit 212 was a "2", it would identify the minimum payment amount Fig. 1B and be bar code 25, or if digit 212 was a "3", it would identify the minimum payment amount plus the amount specified in circles 36 Fig. 1C and be bar code 35); and, digit 213 represents an error-checking digit that is used to validate Planet code 21. It would be obvious to one skilled in the art that additional digits may be added to increase the information in bar codes 21 and 23, i.e., payment amount, etc.

Frame bar 220 indicates the beginning of Postnet bar code 23, and frame bar 221 indicates the end of Postnet bar code 23. Digits 222-233 each contain five bars which are used to represent digits 0-9. Digits 222-232 identify the customer's location, identification i.e., it is customer location number 068013221991 which happens to be encoded to represent 9 Cross Hill Road, Bethel, CT 06801-3221. Thus, by using the customer location identification digits 222-232 of Postnet code 23, and digits 204-208 that represent billing company identification and digits 209-211 that represent the customer account number of Planet code 21, a particular account for Mr. Bill Recipient of 9 Cross Hill Road, Bethel, CT 06801-3221 is uniquely identified. Digit 233 represents an error-checking digit that is used to validate Postnet bar code 23. The billing company, i.e., ABC Company, is able to obtain Mr. Bill Recipient's bank account by using Mr. Bill Recipient's account number and Mr. Bill Recipient's location identification to find Mr. Bill Recipient's bank account number in ABC Company's database.

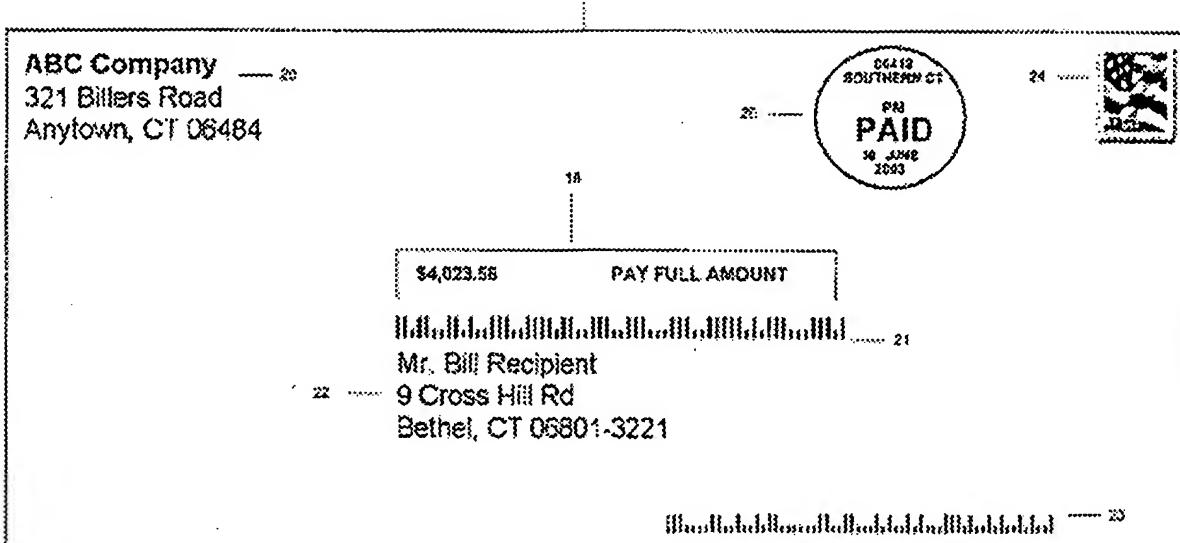


Fig. 3

Fig. 3 is a drawing of mail piece 11 shown in Fig. 1A after mail piece 11 has been posted and scanned by the USPS. After bar codes 21 and 23 are scanned, the USPS places an indication of electronic payment 26 of the bill on mail piece 11. The scanned information is used to provide information for the transfer of funds from Mr. Bill Recipient to ABC Company as described in the description of Figs. 6A and 6B.

Then the USPS delivers mail piece 11 to Mr. Bill Recipient and provides information to ABC Company so that ABC Company may debit Mr. Bill Recipient's bank account for the amount shown in space 18 and Planet code 21, namely, \$4,023.56. The payment of the bill is described in the description of Fig. 6B. It would be obvious to one skilled in the art that the USPS, a third party, or Mr. Bill Recipient may create the payment transaction and execute it.

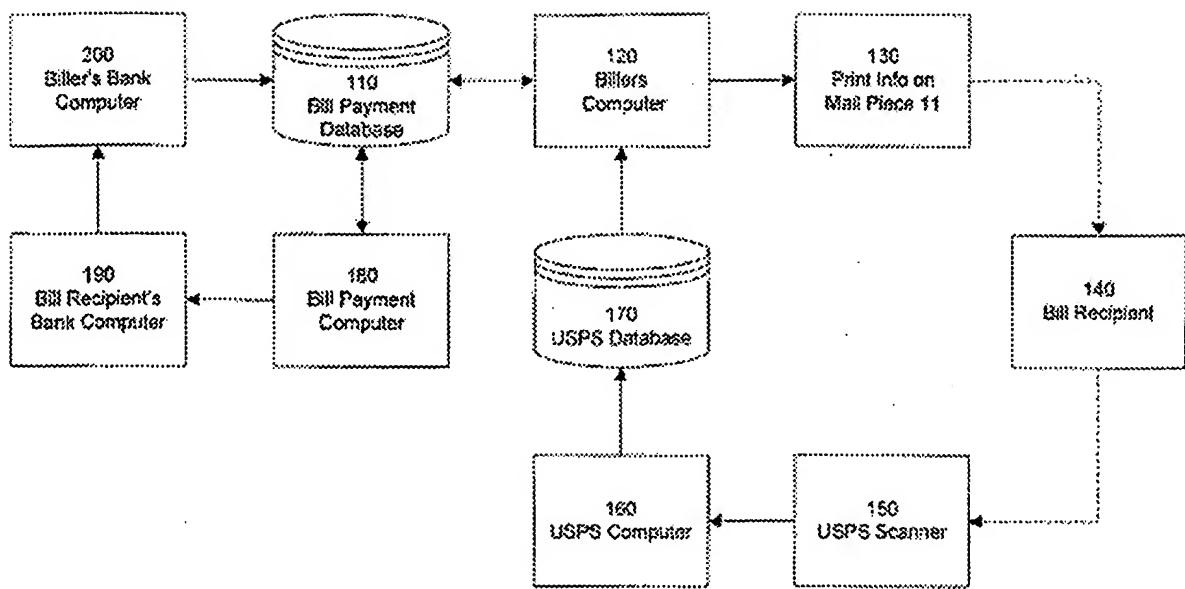


Fig 4

Fig. 4 is a block diagram of the process flow of mail piece 11 and mail piece 12. The process begins in data base 110, where information for the bill, i.e., mail piece 11 or 12 is stored. Data base 110 contains the minimum payment Planet code; the full payment Planet code; the Postnet bar codes; the full payment amount; the minimum payment amount; Mr. Bill Recipient's account number; Mr. Bill Recipient's bank account number; and Mr. Bill Recipient's bank routing number. Biller's computer 120 will send data to database 110 and receive data from data base 110. Computer 120 will send data to printer 130 so that printer 130 will be able to print the information appearing on mail piece 11 (Fig. 1A) and mail piece 12 (Fig. 1B).

Mail pieces 11 or 12 will be mailed and delivered to bill recipient 140. Mr. Bill Recipient will decide if he wants to pay the bill in full or make a minimum payment on the bill. If Mr. Bill Recipient decides he wants to pay the bill in full, he will mail, mail piece 11. If Mr. Bill Recipient decides he wants to make a minimum payment, he will mail, mail piece 12.

Scanners 150 at the USPS will scan and interpret Planet code 21 and Postnet bar code 23 if mail piece 11 was mailed (Fig. 1A) or scan and interpret Planet code 25 and Postnet bar code 23 if mail piece 12 was mailed (Fig. 1B), or scan and interpret Planet code 35, Postnet bar code 23 and circles 36 if mail piece 13 was mailed (Fig. 1C). The interpreted Planet and Postnet bar codes and circles will be sent to USPS computer 160. Computer 160 will process the scanned Planet code, Postnet bar code, scan date, scan location and scan type (initial scan, process scan, final scan) from scanner 150. Computers 160 and 120 will be coupled to USPS data base 170 to obtain mail piece data. Biller's computer 120 will reconcile the bill it produced, i.e., mail piece 11 with the bill, i.e., mail piece that was just scanned. Then the information will be sent to bill payment database 110 to begin the funds transfer process. Bill payment computer 180 will use the information in database 110 to create an electronic funds transfer between Biller's bank computer 200 and Bill Recipient's bank computer 190.

Bill Recipient's bank computer 190 will receive Mr. Bill Recipient's Bank Account Number and the amount of funds to debit from Mr. Bill Recipient's bank account, which will be credited to ABC Company. ABC Company biller's bank computer will be credited for the funds debited to Mr. Bill Recipient's bank 190. The USPS, the customer recipient's bank and/or the company biller bank may charge the company biller for the above. Advantages of the foregoing are that the company biller will receive its money sooner, i.e., shortly after mail piece 11 or 12 is scanned by the USPS, and eliminate some bill processing costs.

Claim 15 is second of the two independent claims in this application. Claim 15 relates to a method for a carrier to initiate payment of a bill by a bill recipient to a creditor. The method comprising the following steps:

- (a) delivering a billing mail piece from a creditor to a bill recipient, the billing mail piece including a bill and a bill-paying return mail piece;

- (b) receiving the bill-paying return mail piece mailed by the bill recipient, the bill-paying return mail piece having a code printed thereon that identifies at least one of the bill recipient and the bill recipient's account number and an amount due on the face of the mail piece;
- (c) scanning the code on the bill-paying return mail piece before the mail piece is delivered to the creditor; and
- (d) initiating an electronic funds transaction for the amount indicated in the code from the bill recipient's bank account to the creditor's bank account

The portion of Appellant's specification that describes claim 15 has been set forth above.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether or not claims 1 - 29 are patentable under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

VII. ARGUMENTS

A. Claims 1 – 4 and 10 have been rejected by the Examiner under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

Powar discloses the following in lines 23-32 of col. 4:

"FIG. 2 shows an electronic bill pay system 200 where the remittance stub is not used. In system 200, biller B sends a bill 202 to consumer C. Consumer C uses a consumer terminal 204 to capture the data needed from bill 202 to generate a bill pay order 206. The data capture is a replacement for the prior art processes of addressing an envelope to the biller and including the remittance stub in the envelope, i.e., bill pay order 206 includes routing instructions to biller B and includes an indication of the C-B account number for the bill payment."

Powar discloses the following in lines 51-64 of col. 4:

"Stub 300 also includes a universal encoding region 304, which encodes data to be captured by consumer C which identifies biller B and the C-B account number. In the stub shown in FIG. 3, universal encoding region 304 also encodes for an amount due and a due date. Universal encoding region 304 might also include error correction and detection data 306. Because biller B generates bill 202, which includes stub 300, biller B is free to change the C-B account number as needed for its internal operations.

The above descriptions of FIGS. 2 and 3 describe the elements of a bill payment system in which data capture is performed by the consumer. FIG. 4 shows details of particular data capture means and FIG. 5 is a flow chart of a process for bill payment using the described system."

Powar discloses the following in line 62 of col. 5 – line 5 of col. 6:

"When consumer C receives the bill and is ready to pay it, consumer C scans the bill electronically to capture the biller ID field and the C-B account number field (step S2). This information is transmitted from the scanning device to a computer (typically an appropriately programmed microprocessor) for processing. This could either be a personal computer controlled by consumer C or a processor built into the reader. For example the, consumer terminal might be an Integrated telephone with a display screen, alphanumeric entry keys, an internal microprocessor and a barcode wand or reader."

In Powar's system data capture is performed by the consumer. Thus, Powar requires that a consumer or recipient have a terminal, scanner and/or computer to pay their bill.

Powar does not disclose or anticipate step (d) of claim 1 namely, scanning by the post the code on the mail piece before the mail piece is delivered to the creditor. In independent claim 1 Appellant scans the code on the mail piece and transfers funds from the bill recipient's bank account to the creditor's bank account step (f) of claim 1. The foregoing is done before the mail piece is delivered to the creditor.

B. Claims 5 and 6 have been rejected by the Examiner under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

Claim 5 depends on claim 1, and claim 6 depends on claim 5. Claim 5 includes the additional step of indicating on the mail piece after funds have been transferred to the creditor's bank account from the bill recipient's bank account that the bill has been paid and claim 6 includes the further step of delivering the mail piece indicating that the bill has been paid to the bill recipient.

In addition to the arguments made in above Section A, Powar does not disclose or anticipate indicating on a mail piece that funds have been transferred to the creditor's bank account indicating that the bill has been paid and delivering the mail piece to the recipient.

C. Claims 7 - 9 have been rejected by the Examiner under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

Claim 7 depends on claim 1, and claims 8 and 9 depend on claim 7. Claim 7 indicates that the first code references a record in a data base that references the bill recipient's bank account, amount due, the account being paid, and the second code represents the physical location of the bill recipient. Claim 8 indicates that the first code is a planet code and claim 9 indicates that the second code is a postnet code.

In addition to the arguments made in above Section A, Powar does not disclose or anticipate the placing of codes on the face of a mail piece. Powar's codes are contained in regions 302 and 304 of stub 300 (Powar Fig. 3)

D. Claims 11 - 13 have been rejected by the Examiner under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

Claims 11 - 13 depend on claim 1. Claim 11 states that the code placed by the creditor indicates the minimum amount that is due. Claim 12 states that the code placed by the creditor indicates the entire amount that is due and claim 13 states that the code placed by the creditor indicates an amount greater than the minimum amount that is due is going to be paid.

In addition to the arguments made in above Section A, Powar does not disclose or anticipate the placing of codes on the face of a mail piece that indicate the amounts that are due. Powar's codes are contained in regions 302 and 304 of stub 300 (Powar Fig. 3)

E. Claim 14 has been rejected by the Examiner under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

Claim 14 depends on claim 13. Claim 14 includes the additional step of placing an indication on the bill by the bill recipient that indicates the amount greater than the minimum amount that is due is going to be paid.

In addition to the arguments made in above Sections A and D, Powar does not disclose or anticipate placing an indication on the bill by the bill recipient that indicates the amount greater than the minimum amount that is due is going to be paid.

F. Claims 15 – 18, 22, 23 and 29 have been rejected by the Examiner under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

Powar discloses the following in lines 23-32 of col. 4:

"FIG. 2 shows an electronic bill pay system 200 where the remittance stub is not used. In system 200, biller B sends a bill 202 to consumer C. Consumer C uses a consumer terminal 204 to capture the data needed from bill 202 to generate a bill pay order 206. The data capture is a replacement for the prior art processes of addressing an envelope to the

biller and including the remittance stub in the envelope, i.e., bill pay order 206 includes routing instructions to biller B and includes an indication of the C-B account number for the bill payment."

Powar discloses the following in lines 51-64 of col. 4:

"Stub 300 also includes a universal encoding region 304, which encodes data to be captured by consumer C which identifies biller B and the C-B account number. In the stub shown in FIG. 3, universal encoding region 304 also encodes for an amount due and a due date. Universal encoding region 304 might also include error correction and detection data 306. Because biller B generates bill 202, which includes stub 300, biller B is free to change the C-B account number as needed for its internal operations.

The above descriptions of FIGS. 2 and 3 describe the elements of a bill payment system in which data capture is performed by the consumer. FIG. 4 shows details of particular data capture means and FIG. 5 is a flow chart of a process for bill payment using the described system."

Powar discloses the following in line 62 of col. 5 – line 5 of col. 6:

"When consumer C receives the bill and is ready to pay it, consumer C scans the bill electronically to capture the biller ID field and the C-B account number field (step S2). This information is transmitted from the scanning device to a computer (typically an appropriately programmed microprocessor) for processing. This could either be a personal computer controlled by consumer C or a processor built into the reader. For example the, consumer terminal might be an Integrated telephone with a display screen, alphanumeric entry keys, an internal microprocessor and a barcode wand or reader."

In Powar's system data capture is performed by the consumer. Thus, Powar requires that a consumer or recipient have a terminal, scanner and/or computer to pay their bill.

Powar does not disclose or anticipate step (a) of claim 15 namely, delivering a billing mail piece from a creditor to a bill recipient, the billing mail piece including a bill and a bill-paying return mail piece; and step (c) of claim 15, namely scanning the code on the bill-paying return mail piece before the mail piece is delivered to the creditor. In independent claim 15 Appellant scans the code on the mail piece and transfers funds from the bill recipient's bank account to the creditor's bank account step (d) of claim 15 The foregoing is done before the mail piece is delivered to the creditor.

G. Claims 19 and 20 have been rejected by the Examiner under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

Claim 19 depends on claim 15, and claim 20 depends on claim 19. Claim 19 includes the additional step of indicating on the bill-paying return mail piece after funds have been transferred to the creditor's bank account from the bill recipient's bank account that the bill has been paid. Claim 20 includes the further step of delivering the mail piece indicating that the bill has been paid to the bill recipient.

In addition to the arguments made in above Section F, Powar does not disclose or anticipate indicating on the face of a return mail piece that the bill has been paid. Powar does not disclose a return mail piece.

H. Claim 21 has been rejected by the Examiner under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

Claim 21 depends on claim 15. Claim 21 indicates that the code references a record in a data base that contains the bill recipient's bank account, amount due, the account being paid, and the second code represents the physical location of the bill recipient.

In addition to the arguments made in above Sections F and G, Powar does not disclose indicating the physical location of the bill recipient in a second code.

I. Claims 24 - 26 have been rejected by the Examiner under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

Claims 24 – 27 depend on claim 15. Claim 24 states that the code indicates that an electronic funds transaction will take place and claim 25 states that the code indicates the minimum amount that is due. Claim 26 states that the code indicates the entire amount that is due and claim 27 states that the code indicates an amount greater than the minimum amount that is due and going to be paid.

In addition to the arguments made in above Section F, Powar does not disclose or anticipate the placing of codes on the face of a mail piece. Powar's codes are contained in regions 302 and 304 of stub 300 (Powar Fig. 3)

J. Claim 28 has been rejected by the Examiner under 35 USC § 102(b) for being anticipated by Powar (U.S. Patent 7,028,008).

Claim 28 depends on claim 27. Claim 28 includes the additional step of placing an indication on the bill by the bill recipient that indicates the amount greater than the minimum amount that is due is going to be paid.

In addition to the arguments made in above Section F, Powar does not disclose or anticipate an indication on the bill by the bill recipient that indicates the amount greater than the minimum amount that is due is going to be paid.

PRAYER FOR RELIEF

Appellant's respectfully submit that appealed claims 1 - 29 in this application are patentable. It is requested that the Board of Appeal overrule the Examiner and direct allowance of the rejected claims.

Respectfully submitted,

Ronald Reichman
Ronald Reichman
Reg. No. 26,796
Attorney of Record
Telephone (203) 924-3854

CERTIFICATE OF MAILING

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484-8000

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 1, 2006
Date of Deposit

Amy Harvey
Signature

Amy Harvey
Name of Person Certifying

VIII. Appendix of Claims Involved in the Appeal

1. A method for enabling a bill recipient to pay their bill to a creditor, the method comprising the steps of:

- (a) giving one or more bills in the form of one or more mail pieces to a bill recipient;
- (b) placing a code by a creditor on one or more bills that references the bill recipient, the bill recipient's account number and amount due on a face of the mail piece;
- (c) mailing the bill by the bill recipient;
- (d) scanning by the post the code on the mail piece before the mail piece is delivered to the creditor;
- (e) creating an electronic funds transaction for the amount indicated in the code between the bill recipient's bank account and the creditor's bank account; and
- (f) transferring funds from the bill recipient's bank account to the creditor's bank account.

2. The method claimed in claim 1, wherein the code includes:

- (a) a first code that references the bill recipient's account number and amount due; and
- (b) a second code that references a location of the bill recipient.

3. The method claimed in claim 2, wherein the first code is a Planet code.

4. The method claimed in claim 2, wherein the second code is a Postnet bar code

5. The method claimed in claim 1, further including the step of: indicating on the mail piece after funds have been transferred to the creditor's bank account from the bill recipient's bank account that the bill has been paid.

6. The method claimed in claim 5, further including the step of:

delivering the mail piece indicating that the bill has been paid to the bill recipient.

7. The method claimed in claim 1, wherein the first code references a record in a data base that references the bill recipient's bank account, amount due, the account being paid, and the second code represents the physical location of the bill recipient.
8. The method claimed in claim 7, wherein the first code is a Planet code.
9. The method claimed in claim 7, wherein the second code is a Postnet code.
10. The method claimed in claim 1, wherein the first code indicates that an electronic funds transaction will take place.
11. The method claimed in claim 1, wherein the code placed by the creditor indicates the minimum amount that is due.
12. The method claimed in claim 1, wherein the code placed by the creditor indicates the entire amount that is due.
13. The method claimed in claim 1, wherein the code placed by the creditor indicates an amount greater than the minimum amount that is due is going to be paid.
14. The method claimed in claim 13, further including the step of:
placing an indication on the bill by the bill recipient that indicates the amount greater than the minimum amount that is due is going to be paid.
15. A method for a carrier to initiate payment of a bill by a bill recipient to a creditor, the method comprising the steps of:
 - (a) delivering a billing mail piece from a creditor to a bill recipient, the billing mail piece including a bill and a bill-paying return mail piece;
 - (b) receiving the bill-paying return mail piece mailed by the bill recipient, the bill-paying return mail piece having a code printed thereon that identifies at least one of the bill

recipient and the bill recipient's account number and an amount due on the face of the mail piece;

(c) scanning the code on the bill-paying return mail piece before the mail piece is delivered to the creditor; and

(d) initiating an electronic funds transaction for the amount indicated in the code from the bill recipient's bank account to the creditor's bank account.

16. The method claimed in claim 15, wherein the code includes:

(a) a first code that identifies the bill recipient's account number and the amount due; and

(b) a second code that identifies the location of the bill recipient.

17. The method claimed in claim 16, wherein the first code is a Planet code.

18. The method claimed in claim 16, wherein the second code is a Postnet bar code

19. The method claimed in claim 15, wherein step (d) comprises:

indicating on the bill-paying return mail piece after funds have been transferred to the creditor's bank account from the bill recipient's bank account that the bill has been paid.

20. The method claimed in claim 19, further including the step of:

delivering the mail piece indicating that the bill has been paid to the bill recipient.

21. The method claimed in claim 15, wherein the code references a record in a data base that contains the bill recipient's bank account, amount due, the account being paid, and the second code represents the physical location of the bill recipient.

22. The method claimed in claim 21, wherein the first code is a Planet code.

23. The method claimed in claim 21, wherein the second code is a Postnet code.

24. The method claimed in claim 15, wherein the code indicates that an electronic funds transaction will take place.

25. The method claimed in claim 15, wherein the code indicates the minimum amount that is due.

26. The method claimed in claim 15, wherein the code indicates the entire amount that is due.

27. The method claimed in claim 15, wherein the code indicates an amount greater than the minimum amount that is due is going to be paid.

28. The method claimed in claim 27, further including the step of:
placing an indication on the bill by the bill recipient that indicates the amount greater than the minimum amount that is due is going to be paid.

29. The method claimed in claim 15, further including the step of:
confirming payment by bill recipient to creditor.

IX. EVIDENCE APPENDIX

There is no additional evidence to submit.

XI RELATED PROCEEDING APPENDIX

There are no related Appeals and Interferences.